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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION

SURGICAL INSTRUMENT SERVICE COMPANY, INC.,

Plaintiff,

v.

INTUITIVE SURGICAL, INC., Defendant.

[PROPOSED] ORDER ON JOINT ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER

Case No. 3:21-cv-03496-AMO

PARTY'S MATERIAL SHOULD BE SEALED PURSUANT TO CIVIL LOCAL RULE 79-5(f)

The Honorable Araceli Martínez-Olguín

Party with

Full or

Brief

Granted/

Document title or

Dkt.

Having considered the Joint Administrative Motion to Consider Whether Another Party's Material Should Be Sealed, IT IS HEREBY ORDERED that the following exhibits and deposition testimony shall be sealed at trial.

Dkt.

Dkt. No.

	Description	No. of Sealed Version	of unsealed version	No. of decl. in support of sealing	burden to substantiate need to seal	partial sealing sought	statement of reason for sealing (with citation to corresponding declaration in support of sealing)	Denied (leave blank)
	TX0210 (AHP000526 – AHP000537)	N/A	341-2		Alliance Healthcare Partners			
	TX0211 (AHP000521 – AHP000523)	N/A	341-3		Alliance Healthcare Partners			
	TX0212 (AHP002130 – AHP002140)	N/A	341-4		Alliance Healthcare Partners			
	TX0334 (AHP000527 – AHP000537)	N/A	341-5		Alliance Healthcare Partners			
	TX1302 (AHP000369 – AHP000372)	N/A	341-6		Alliance Healthcare Partners			
	TX1303 (AHP000853 – AHP000930)	N/A	341-7		Alliance Healthcare Partners			
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Document title or Description	Dkt. No. of Sealed Version	Dkt. No. of unsealed version	Dkt. No. of decl. in support	Party with burden to substantiate need to seal	Full or partial sealing sought	Brief statement of reason for sealing (with	Grante Denied (leave blank)
		101011	of sealing		30.113	citation to corresponding declaration in support of	~~~~ <i>,</i>
						sealing)	
TX1304	N/A	341-8		Alliance			
(AHP002062 – AHP002067)				Healthcare Partners			
TX1305 (AHP002623 –	N/A	341-9		Alliance Healthcare			
AHP002624)				Partners			
Deposition Transcript of Rick	N/A	341-10		Alliance Healthcare	Partial (pages		
Ferreira, taken on 11/10/2022				Partners	100:12- 103:18,		
					150:1-		
					151:18, 159:21-		
					165:25, 169:22-		
					179:1)		
Deposition Transcript of Todd	N/A	341-11		Asensus Surgical			
Pope, taken on 4/30/2021							
TX1309 (CMR-	N/A	341-12		CMR			
00000001 – CMR- 00000169)				Surgical			
TX1310 (CMR-	N/A	341-13		CMR			
00000229 – CMR- 00000255)				Surgical			
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1	Document title or	Dkt.	Dkt. No.	Dkt.	Party with	Full or	Brief	Granted/
2	Description	No. of Sealed Version	of unsealed version	No. of decl. in support	burden to substantiate need to seal	partial sealing sought	statement of reason for sealing (with	Denied (leave blank)
3		Version	Version	of sealing	need to sear	sought	citation to corresponding	Diank
4							declaration in support of	
5							sealing)	
6								
7	TX0012 (FRANCISCAN-	N/A	341-14		Franciscan Health			
8	00055639 – FRANCISCAN-							
9	00055648)							
10								
11	TX0188 (FRANCISCAN-	N/A	341-15		Franciscan Health			
12	00051195)							
13								
14	TX0194 (FRANCISCAN-	N/A	341-16		Franciscan Health			
15	00050721 – FRANCISCAN-				Tieutin			
16	00050759)							
17								
18	TX0195 (FRANCISCAN-	N/A	341-17		Franciscan Health			
19	00050821 – FRANCISCAN-				Health			
20	00050823)							
21	TX0204	N/A	341-18		Franciscan			
22	(FRANCISCAN- 00050811 –				Health			
23	FRANCISCAN- 00050814)							
24								
25	TX0205	N/A	341-19		Franciscan			
26	(FRANCISCAN- 00050796 –				Health			
27								
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1 2	Document title or Description	Dkt. No. of Sealed	Dkt. No. of unsealed	Dkt. No. of decl. in	Party with burden to substantiate	Full or partial sealing	Brief statement of reason for	Granted/ Denied (leave
3		Version	version	support of sealing	need to seal	sought	sealing (with citation to corresponding	blank)
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7	FRANCISCAN- 00050810)							
8								
9	TX0206	N/A	341-20		Franciscan			
10	(FRANCISCAN- 00055468 –				Health			
11	FRANCISCAN- 00055531)							
12								
13	TX0376 (FRANCISCAN-	N/A	341-21		Franciscan Health			
14	00056312 – FRANCISCAN-				пеанн			
15	00056338)							
16								
17	TX1634.415 (FRANCISCAN-	N/A	341-22		Franciscan Health			
18	00000423 – FRANCISCAN-							
19	00000427)							
20								
21	Deposition Transcript of John	N/A	341-23		Franciscan Health			
22	Francis, taken on 10/14/2022							
23								
24	Deposition	N/A	341-24		Franciscan			
25	Transcript of Dipen Maun, taken on				Health			
26	11/8/2022							
27								

- 5
[PROPOSED] ORDER RE ADMINISTRATIVE MOTION TO CONSIDER

Case No. 3:21-cv-03496-AMO

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1	Document title or Description	Dkt. No. of	Dkt. No. of	Dkt. No. of	Party with burden to	Full or partial	Brief statement of	Granted/ Denied
2		Sealed Version	unsealed version	decl. in support	substantiate need to seal	sealing sought	reason for sealing (with	(leave blank)
3				of sealing			citation to corresponding	
4							declaration in support of	
5							sealing)	
6								
7	Deposition Transcript of Paul	N/A	341-25		Franciscan Health			
8	Plomin, taken on 11/8/2022							
9								
10	Deposition	N/A	341-26		Franciscan			
11	Transcript of Judith Schimmel, taken on				Health			
12	9/22/2022							
13								
14	Deposition Transcript of Judith	N/A	341-27		Franciscan Health			
15	Schimmel, taken on 11/16/2022							
16								
17	Deposition Transcript of Michael	N/A	341-28		Franciscan Health			
18	Shepherd, taken on 11/4/2022				ricalui			
19	11/4/2022							
20	Daniel de la constante de la c	DT/A	241.20		E			
21	Deposition Transcript of Karen Waninger, taken on	N/A	341-29		Franciscan Health			
22	10/6/2022							
23								
24	TX1684 (STRREB00000259)	N/A	341-30		Stryker			
25	(511(12)							
26	TX1685	N/A	341-31		Stryker			
27	(STRREB00000260	11/12	J-11-J1		Suykoi			
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1 2	Document title or Description	Dkt. No. of Sealed	Dkt. No. of unsealed	Dkt. No. of decl. in	Party with burden to substantiate	Full or partial sealing	Brief statement of reason for	Granted/ Denied (leave
3		Version	version	support of	need to seal	sought	sealing (with citation to	blank)
4				sealing			corresponding declaration in	
5							support of sealing)	
6								
7	- CTDDFD00000272)							
8	STRREB00000273)							
9	TX0054 (VMC-	N/A	341-32		Valley			
10	00014375 – VMC- 00014380)	IN/A	341-32		Medical Center			
11	00014300)				Center			
12	TX0056 (VMC-	N/A	341-33		Valley			
13	00015993 – VMC- 00016060)		311 33		Medical Center			
14	,							
15	TX0106 (VMC-	N/A	341-34		Valley			
16	00021270 – VMC- 00021281)				Medical Center			
17								
18	TX0108 (VMC-	N/A	341-35		Valley			
19	00021465 – VMC- 00021494)				Medical Center			
20								
21	TX0109 (VMC-	N/A	341-36		Valley			
22	00020868 – VMC- 00020879)				Medical Center			
23								
24	TX0111 (VMC- 00025581 – VMC-	N/A	341-37		Valley Medical			
25	00025588)				Center			
26								
27		1	<u>I</u>	<u> </u>	<u> </u>	<u> </u>	l	

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1 2	Document title or Description	Dkt. No. of Sealed	Dkt. No. of unsealed	Dkt. No. of decl. in	Party with burden to substantiate	Full or partial sealing	Brief statement of reason for	Granted/ Denied (leave
3		Version	version	support of	need to seal	sought	sealing (with citation to	blank)
4				sealing			corresponding declaration in support of	
5							sealing)	
6								
7 8	TX0112 (VMC- 00020543 – VMC- 00020548)	N/A	341-38		Valley Medical Center			
9								
10	TX0113 (VMC-	N/A	341-39		Valley			
11	00020649 – VMC- 00020666)				Medical Center			
12								
13	TX0115 (VMC- 00018344 – VMC-	N/A	341-40		Valley Medical			
14	00018376)				Center			
15								
16	TX0116 (VMC- 00060616 – VMC- 00060622)	N/A	341-41		Valley Medical Center			
17	00000022)				Center			
18	Deposition	N/A	341-42		Valley			
19	Transcript of Greta Bernier, taken on				Medical Center			
20	11/7/2022							
21		27/1	244.42					
22 23	Deposition Transcript of Michael Burke, taken on	N/A	341-43		Valley Medical Center			
24	9/27/2022							
25								
26	Deposition Transcript of Elizabeth Nolan,	N/A	341-44		Valley Medical Center			
27	taken on 11/10/2022							
28								
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	[PROPOSED] ORDER	RE ADMI	NISTRATÍV	E MOTIO	N TO CONSIDI	ER C	Case No. 3:21-cv-0	3496-AMO

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	Description	Dkt. No. of Sealed	Dkt. No. of unsealed	Dkt. No. of decl. in	Party with burden to substantiate	Full or partial sealing	Brief statement of reason for	Granted/ Denied (leave
2 3		Version	version	support of	need to seal	sought	sealing (with	blank)
4				sealing			corresponding declaration in	
5							support of sealing)	
6								
7	Deposition Transcript of Richard	N/A	341-45		Valley Medical			
8	Teal, taken on 11/18/2022				Center			
9								
10	Deposition	N/A	341-46		Valley			
11	Transcript of Todd Thomas, taken on 11/10/2022				Medical Center			
12	11/10/2022							
13	Deposition	N/A	341-47		Valley			
14	Transcript of John Wagner, taken on				Medical Center			
15	10/11/2022							
16 17		27/1	244.40					
18	TX0121 (Restore- 00094918 – Restore- 00094956)	N/A	341-48		Restore Robotics			
19	00074730)							
20	TX0155 (Restore-	N/A	341-49		Restore			
21	00091199 – Restore- 00091206)				Robotics			
22								
23	TX0209 (Restore-	N/A	341-50		Restore			
24	00086907 – Restore- 00087400)				Robotics			
25								
26	TX0213 (Restore- 00087401 – Restore-	N/A	341-51; 341-52;		Restore Robotics			
27	00089715)		341-53		1000103			
28								
	[PROPOSED] ORDER	DE ABLE	HOTE ATT	- 9		7D -	Case No. 3:21-cv-0	2406 1250

1	Document title or	Dkt.	Dkt. No.	Dkt.	Party with	Full or	Brief	Granted/
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4				8			declaration in support of	
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7 8	TX0214 (Restore- 00096294 – Restore- 0096295)	N/A	341-54		Restore Robotics			
9								
10	TX0215 (Restore- 00104982 – Restore-	N/A	341-55		Restore Robotics			
11	00104988)							
12								
13	TX0217 (Restore- 00112413 – Restore- 00112164)	N/A	341-56		Restore Robotics			
14	00112104)							
15	TX0220 (Restore-	N/A	341-57		Restore			
16	00091435 – Restore- 00091441)		311 37		Robotics			
17								
18 19	TX0841 (Restore- 00086093 – Restore-	N/A	341-58		Restore Robotics			
20	00086093 – Restore- 00086120)				Robotics			
21								
22	TX0842 (Restore- 00089490 – Restore-	N/A	341-59		Restore Robotics			
23	00089503)							
24								
25	TX0843 (Restore- 00112674 – Restore-	N/A	341-60		Restore Robotics			
26	00112705)							
27								

1 2 3 4 5 6	Document title or Description	Dkt. No. of Sealed Version	Dkt. No. of unsealed version	Dkt. No. of decl. in support of sealing	Party with burden to substantiate need to seal	Full or partial sealing sought	Brief statement of reason for sealing (with citation to corresponding declaration in support of sealing)	Granted/ Denied (leave blank)
7 8	TX1457 (Restore- 00001538 – Restore- 00001578)	N/A	341-61		Restore Robotics			
9 10 11 12	TX1462 (Restore- 00007938 – Restore- 00007980)	N/A	341-62		Restore Robotics			
13 14 15	TX1463 (Restore- 00009029 – Restore- 00009032)	N/A	341-63		Restore Robotics			
16 17 18	TX1471 (Restore- 00060361 – Restore- 00060386)	N/A	341-64		Restore Robotics			
19 20	TX1474 (Restore- 00064505; Restore- 00064530)	N/A	341-65		Restore Robotics			
21 22 23	TX1477 (Restore- 00086959 – Restore- 00087133)	N/A	341-66		Restore Robotics			
24252627	TX1478 (Restore- 00090136 – Restore- 00090171)	N/A	341-67		Restore Robotics			

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Document title or Description	Dkt. No. of Sealed Version	Dkt. No. of unsealed version	Dkt. No. of decl. in support of sealing	Party with burden to substantiate need to seal	Full or partial sealing sought	Brief statement of reason for sealing (with citation to corresponding declaration in support of sealing)	Granted Denied (leave blank)
TX1479 (Restore- 00091502 – Restore- 00091531)	N/A	341-68		Restore Robotics			
TX1483 (Restore- 00095136 – Restore- 00095139)	N/A	341-69		Restore Robotics			
TX1485 (Restore- 00095403 – Restore- 00095480)	N/A	341-70		Restore Robotics			
TX1486 (Restore- 00095711 – Restore- 00095978)	N/A	341-71		Restore Robotics			
TX1487 (Restore- 00096308 – Restore- 00096313)	N/A	341-72		Restore Robotics			
TX1488 (Restore- 00106446 – Restore- 00106617)	N/A	341-73		Restore Robotics			
TX1489 (Restore- 00109056 – Restore- 00109065)	N/A	341-74		Restore Robotics			

Document title or Description	Dkt. No. of Sealed Version	Dkt. No. of unsealed version	Dkt. No. of decl. in support of sealing	Party with burden to substantiate need to seal	Full or partial sealing sought	Brief statement of reason for sealing (with citation to corresponding declaration in support of sealing)	Granted Denied (leave blank)
TX1490 (Restore- 001132582 – Restore-00132592)	N/A	341-75		Restore Robotics			
TX1494 (Restore- 00094567 – Restore- 00094586)	N/A	341-76		Restore Robotics			
TX1635.014 (Restore-00025577 – Restore-00025584)	N/A	341-77		Restore Robotics			
Deposition Transcript of Kevin May, taken on 11/3/2022	N/A	341-78		Restore Robotics	Partial (pages 48:10-52:3, 53:14-55:2, 88:7-89:25, 94:7-97:3)		
Deposition Transcript of Clifton Parker, taken on 10/25/2022	N/A	341-79		Restore Robotics	Partial (pages 55:13, 74:13, 92:15, 93:6, 94:6, 94:9, 95:19, 95:24, 96:10, 96:20,		

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						96:21, 100:5,		
						100:19.		
						100:20, 101:2-		
						103:8,		
						110:7, 134:12,		
						136:15,		
2						139:6, 141:7,		
						144:6-		
						144:22, 171:2,		
;						171:15, 171:20)		
						171.20)		
	IT IS SO O	RDERED).					
	Dated:			By:	HOM ARA	CELLM		NI IÓN I
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